

ORDER NO. 23-291

ENTERED Aug 09 2023

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UM 2294

In the Matter of

ROOME TELECOMMUNICATIONS, INC.,

Petition for Exemption from ORS 759.175  
Pursuant to the Authority Set Forth in  
ORS 759.040(4) and (5).

ORDER

DISPOSITION: STAFF'S RECOMMENDATION ADOPTED

At its public meeting on August 8, 2023, the Public Utility Commission of Oregon adopted Staff's recommendation in this matter. The Staff Report with the recommendation is attached as Appendix A.

BY THE COMMISSION:



**Nolan Moser**

Chief Administrative Law Judge



A party may request rehearing or reconsideration of this order under ORS 756.561. A request for rehearing or reconsideration must be filed with the Commission within 60 days of the date of service of this order. The request must comply with the requirements in OAR 860-001-0720. A copy of the request must also be served on each party to the proceedings as provided in OAR 860-001-0180(2). A party may appeal this order by filing a petition for review with the Circuit Court for Marion County in compliance with ORS 183.484.

**PUBLIC UTILITY COMMISSION OF OREGON  
STAFF REPORT  
PUBLIC MEETING DATE: August 8, 2023**

REGULAR  CONSENT  EFFECTIVE DATE \_\_\_\_\_ N/A \_\_\_\_\_

DATE: July 25, 2023

TO: Public Utility Commission

FROM: Laurel Anderson

THROUGH: Bryan Conway and Marc Hellman **SIGNED**

SUBJECT: ROOME TELECOMMUNICATIONS, INC:  
(Docket No. UM 2294)  
Petition for exemption from ORS 759.175 Pursuant to the Authority Set  
Forth in ORS 759.040(4) and (5).

**STAFF RECOMMENDATION:**

Staff recommends the Commission approve Roome Telecommunications, Inc.'s (RTI or Company) petition for exemption from ORS 759.175, requiring telecommunications utilities to file rate schedules and data with the Commission, and exemption from OAR 860-034-0040(2).

**DISCUSSION:**

Issue

Whether the Commission should approve RTI's petition for exemption from ORS 759.175, requiring every telecommunications utility to file schedules showing all rates, tolls, charges, and the rules and regulations that in any manner affect the rates charged, or to be charged for any service; and from OAR 860-034-0040(2).

Applicable Law

ORS 759.040(5) states that upon petition by a telecommunications utility serving fewer than fifty thousand access lines in Oregon, the Commission may exempt such telecommunications utility from ORS 759.175 and ORS 759.205 to ORS 759.215 if the commission finds that it is in the public interest to do so. This Petition for Exemption is limited to ORS 759.175.

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ORS 759.175 requires:

- (1) Every telecommunications utility to file with the Public Utility Commission, within a time to be fixed by the commission, schedules showing all rates, tolls, and charges that the utility has established and that are in force at the time for any service performed by the utility within the state, or for any service in connection with or performed by any utility controlled or operated by the utility. Schedules filed with the commission shall be open to public inspection.
- (2) Every telecommunication utility shall file with and as part of every schedule filed under subsection (1) of this section, all rules and regulations that in any manner affect the rates charged or to be charged for any service.
- (3) Where a schedule of joint rates or charges is or may be in force between two or more telecommunications utilities, the schedule shall in like manner be printed and filed with the commission.

Under ORS 759.040(5), small telecommunications utilities may petition the Commission for exemption from ORS 759.175. ORS 759.040(5) states:

Upon petition by any telecommunications utility serving fewer than 50,000 access lines in Oregon and finding that such action is consistent with the public interest, the commission by order may exempt such telecommunications utility from ORS 759.175 and 759.205 to 759.215.

The Commission requires small telecommunications utilities that have been exempted from ORS 759.175 to comply with two administrative rules that are particularly relevant here. Under OAR 860-034-0300(1):

Small telecommunications utilities not subject to ORS 759.175 must upon the Commission's request, provide copies of any schedules showing rates, tolls and charges, including all rules and regulations that in any manner affect the rates charged or to be charged for any service.

In addition, under OAR 860-034-0040(2):

Each small telecommunications utility shall keep on file and open for public inspection at its offices, complete rate schedules, contract forms, rules and regulations of the utility and a copy of the Commission's rules and regulations.

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Pursuant to OAR 860-034-0010(1) the Commission may waive any Division 34 rules for “good cause shown.”

### Analysis

#### *Background*

On June 30, 2023, RTI filed a petition for exemption from ORS 759.175. RTI serves approximately 424 access lines in the State of Oregon. RTI is affiliated with and wholly owned by Stayton Cooperative Telephone Company, which serves approximately 196 access lines.

The Commission has previously granted exemptions from ORS 759.175 to nine small telecommunications utilities, as shown in the table below. The Commission granted these exemptions on the basis that an exemption would reduce the companies’ costs and increase the companies’ flexibility allowing for more efficient operations and lower rates.

<b>Telephone Company</b>	<b>Order Number</b>	<b>Docket Number</b>
Eagle Telephone	88-531	UX 8
Helix Telephone	88-584	UX 9
Midvale Telephone	88-585	UX 10
Pine Telephone	88-1215	UX 12
Oregon Telephone	16-248	UM 1774
North-State Telephone	16-249	UM 1775
Asotin Telephone	17-330	UM 1849
Home Telephone	18-294	UM 1960
People’s Telephone Co.	23-188	UM 2282

#### *Public Interest Analysis*

RTI states that granting its petition, “will allow it to have increased flexibility in dealing with its customers and to better serve its customers.” There have been no customer complaints concerning the nine companies already granted this exemption. RTI requests that the Commission find that granting its petition is in the public interest.

#### *Staff Analysis*

Staff agrees that granting the Company’s petition is consistent with the public interest. The Company will continue to be subject to the rules cited above that provide for alternate access to its rate schedules.

Information currently available on paper will be made available online, and links will be provided to customers providing access to the company’s tariffs, as well as the

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Commission's rules and regulations. The Company will no longer be required to file tariffs with the commission or make paper copies of its rate schedules, contract forms, or rules and regulations available.

**PROPOSED COMMISSION MOTION:**

Approve Roome Telecommunications, Inc.'s Petition for Exemption from ORS 759.175 and OAR 860-034-0040(2).

UM 2294 Exemption ORS 759.175